

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES ARTHUR ROSE,

Plaintiff,

v.

Case Number 12-11336
Honorable Thomas L. Ludington

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

This matter is before the Court on the report and recommendation (ECF No. 23) issued by Magistrate Judge Mona K. Majzoub on February 21, 2013, on the motions for summary judgment (ECF Nos. 13, 17) filed by Plaintiff and Defendant. Judge Majzoub recommends that the Court grant Plaintiff's motion, deny Defendant's motion, reverse the Commissioner's decision, and remand the case for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Any party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* The Court is not obligated to review the portions of the report to which no objection was made. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). As of today's date, no party has filed any objections to Judge Binder's report and recommendation.

Accordingly, it is **ORDERED** that Judge Majzoub's report and recommendation (ECF No. 23) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment (ECF No. 13) is **GRANTED**.

It is further **ORDERED** that Defendant's motion for summary judgment (ECF No. 17) is **DENIED**.

It is further **ORDERED** that the Commissioner's decision is **REVERSED** and the case is remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Dated: June 18, 2013

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 18, 2013.

s/Tracy A. Jacobs
TRACY A. JACOBS